CPA4
GAU2879

CONTINUED PROSECUTION APPLICATION (CPA) #18/CPA 2879
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

[ ] **DUPLICATE**

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.	35.C10499 CONT. I/DIV. I
First Named Inventor	HIDEAKI MITSUTAKE
Examiner Name	M. Gerike
Group Art Unit	2879
Express Mail Label No.	

This is a request for a [X] continuation or [ ] divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/045,681 ,
filed on March 23, 1998, entitled ELECTRON BEAM APPARATUS AND IMAGE FORMING APPARATUS .

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

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1. [ ] Enter the unentered amendment previously filed on _____
under 37 CFR § 1.116 in the prior nonprovisional application.

2. a. [ ] Preliminary Amendment.

   b. [X] The applicant presently intends to file additional papers in this case shortly. Should the Examiner take this case up for action before the papers are filed, it is respectfully requested that the Examiner contact the attorneys for the applicant.

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).

   a. [ ] DELETE the following inventor(s) named in the prior nonprovisional application:

   _____

   b. [ ] The inventors to be deleted are set forth on a separate sheet attached hereto.

4. [ ] An Associate Power of Attorney is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:

   a. [ ] PTO-1449

   b. [ ] Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	7-20 =	0	X $ 18.00 =	$ 0
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) or (i))	1-3 =	0	X $ 78.00 =	$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.16(d))			$260.00 =	$
				BASIC FEE (37 CFR § 1.16(a))	$690.00
				Total of above Calculations =	$690.00
	Reduction by 50% for filing by small entity (Note 37 CFR §§ 1.9, 1.27, 1.28).				
				TOTAL =	$690.00

6. Small entity status

    a. ☐ A Small entity statement is enclosed

    b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

    c. ☐ Is no longer claimed.

7. ☒ Please deduct the amount of $ 690.00 from Deposit Account No. 06-1205.

8. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1205:

    a. ☒ Fees required under 37 CFR § 1.16.

    b. ☐ Fees required under 37 CFR § 1.17.
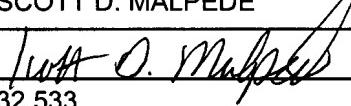
    c. ☐ Fees required under 37 CFR § 1.18.

9. ☒ Other: Applicants petition the Assistant Commissioner for Patents to extend the time for response to the final Office Action dated May 13, 1999, wherein a Notice of Appeal was filed on November 15, 1999, for four months from January 15, 2000 to May 15, 2000, and submit $1,360.00.

<u>NOTE:</u> The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below

10. NEW CORRESPONDENCE ADDRESS					
X	Customer Number or Bar Code Label	05514 (Insert Customer No. or Attach bar code label here)	☐ or	New correspondence address below	
NAME					
ADDRESS					
CITY		STATE		ZIP CODE	
COUNTRY		TELEPHONE		FAX	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	SCOTT D. MALPEDE
SIGNATURE	*[signature]*
REGISTRATION	32,533
DATE	May 15, 2000

SDM\rnm

CPA FILED 5-15-00

Application or Docket Number

09104568

PATENT APPLICATION FEE DETERMINATION RECORD
Effective November 10, 1998

CLAIMS AS FILED - PART I

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
AMENDMENT	Total	* 7	Minus	** 20	= 7
	Independent	* 1	Minus	*** 3	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
	380.00	OR		760.00
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL		OR	TOTAL	

CLAIMS AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
AMENDMENT A	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
AMENDMENT B	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
AMENDMENT C	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.